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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,704	04/20/2001	Ian W. Jones	SUN-P5670-RSH	2779
22835	7590	09/08/2004	EXAMINER	
PARK, VAUGHAN & FLEMING LLP 508 SECOND STREET SUITE 201 DAVIS, CA 95616			HO, DUC CHI	
			ART UNIT	PAPER NUMBER
			2665	

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/839,704

Applicant(s)

JONES, IAN W.

Examiner

Duc C Ho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 3-5, 7-10, 13-15 and 17-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(b) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 6, 11-12, 16, and 21-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Pashan et al. (US 5,278,969), hereinafter referred as Pashan.

Regarding claim 1, Pashan discloses queue-length monitoring arrangement for detecting consistency between duplicate memories.

*a memory device* (the memory 12 inherently includes FIFOs such as the queue100s, see col. 2, lines 31-50), *whether the memory device has other than first-in, first-out semantics* ( the memory 12-fig. 1 includes RAMs, see col. 3, lines 39-60) *including one of a random access memory and a stack* (a processor stacks);

*a data destination horn* ( a mux 22 corresponds to a data destination horn, see col.3, lines 3-38), *for routing data from a trunk line* (in fig.1 of Pashan the trunk line between the demux 21 and the mux 22 is formed via the output ports 42, 41 to the input ports 52, 51, respectively) *to a plurality of destinations* (a plurality of destinations of the output link 19-fig. 1, wherein the memory device is a destination of the plurality of destinations (the memory device 12 receives data from the demux 21-fig. 1. Consequently, the memory device 12 is a destination); *and*

*a data source funnel* (a demux 21-fig. 1 corresponds to a data source funnel), *for routing data from a plurality of sources* (a plurality of sources from the input link 17-fig. 1, see col. 3- lines 3-38) *into the trunk line, wherein the memory device is a source of the plurality of sources*

(the memory device 12-fig. 1 transmits a plurality of data from the queue 100 to the output port 9-fig. 1, which will be distributed to one of a plurality of output link 19-fig. 1 via the mux 22, see col. 3-line 39 to col. 4-line 11. Consequently, the memory device 12 is a source).

Regarding claim 2, the processor 20-fig. 1 couples to the mux 22 (a destination horn) and the demux 21 (a data source funnel). The processor 20 communicates with the control unit 14-fig. 1 for controlling data to the demux 21 and the mux 22, see col. 3-line 60 to col. 4-line 29, wherein headers of incoming cells (including destinations) are sent to memory 12 for storage and for output transmission, see col. 3-line 52 to col. 4-line 29.

Regarding claim 6, the processor 20-fig. 1 couples to the mux 22 (a destination horn) and the demux 21 (a data source funnel). The processor 20 communicates with the control unit 14-fig. 1 for controlling data to the demux 21 and the mux 22, see col. 3-line 60 to col. 4-line 29, wherein headers of incoming cells (including sources) are sent to memory 12 for storage and for output transmission, see col. 3-line 52 to col. 4-line 29.

Regarding claim 11, the claim has similar limitations as claim 1. Therefore, it is rejected under Pashan for the same reasons set forth in the rejection of claim 1.

Regarding claims 12, and 16, these claims have similar limitations as claims 2, and 6. Therefore, they are rejected under Pashan for the same reasons set forth in the rejection of claims 12, and 16, respectively.

Regarding claim 21, the claim has similar limitations as claims 1, and 2. Therefore, it is rejected under Pashan for the same reasons set forth in the rejection of claims 1, and 2.

Regarding claim 22, the claim has similar limitations as claims 1, and 6. Therefore, it is rejected under Pashan for the same reasons set forth in the rejection of claims 1, and 6.

***Allowable Subject Matter***

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3. Claims 3-5, 7-9, 10, 13-15, 17-19, and 20 are objected to as being independent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Park et al. (US 6,466,590); Sohraby (US 6,192,049) are cited to show apparatus and method for sequencing memory operations in an asynchronous switch fabric, which is considered pertinent to the claimed invention.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Ho whose telephone number is (571) 272-3147. The examiner can normally be reached on Monday through Friday from 7:00 am to 3:30 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (571) 272-3155.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner

A handwritten signature in black ink, appearing to read 'Duc Ho', with a stylized flourish at the end.

Duc Ho

9-07-04